

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

EDWARD SMITH, : Case No.1:01cv814-SJD
Petitioner, :
v. : Notice of Appeal
ANTHONY BRIGANO, Warden, :
Respondent. :

Notice is hereby given that Edward Smith, petitioner in the above named case, hereby appeals to the United States Court of Appeals for the Sixth Circuit, the Order dated 9-02-04, denying his Petition for Writ of Habeas Corpus with prejudice, and denying him leave to appeal this decision in forma pauperis, and denying him a certificate of appealability, which order was entered on the 2nd day of September, 2004. *RECONSIDER MOTION DENIED SEPT. 24-2004. FILED A WRIT of Mandamus in Court of Appeal 04-4249 OCTOBER 13, 2004. RELYING ON DOCUMENTS FILED IN THIS Court-for appeal.*

Edward Smith, petitioner, pro se
Edward Smith, petitioner, pro se
Inmate No. 346-408
Warren Corr.Inst., P.O. Box 120,
Lebanon, Ohio 45036

Certificate of Service

I, Edward Smith, do hereby certify that a copy of this Notice of Appeal was given to prison officials for mailing in the prison's legal mail system for mailing to: Ohio Attorney General, 150 East Gay Street, 16th Floor, Columbus, Ohio 43215, on this 22 day of OCTOBER, 2004.

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